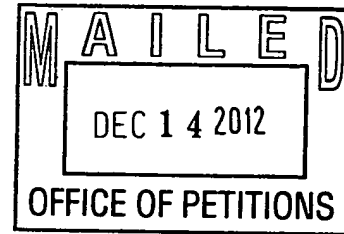




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**500 CASTLE MOUNTAIN ROAD**  
**LIVERMORE CO 80536**



In re Patent No. 6,311,330 :  
Issue Date: November 6, 2001 :  
Application No. 09/690,244 : **ON PETITION**  
Filed: October 17, 2000 :  
Attorney Docket No. JOEY060100P :

This is a decision on the petition under 37 CFR 1.378(c), filed October 10, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

Any petition for reconsideration of this decision must be accompanied by the petition fee of **\$400** as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; and (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks items (2) and (3) above.

With respect to item (2): The seven and one half year maintenance fee submitted with the petition dated October 10, 2012, was \$490, however, as of October 5, 2012, the current maintenance fee is \$1,450 (small entity). Petitioner should submit an additional payment of **\$960** with any request for reconsideration.

With respect to item (3): A review of the Office record shows that a surcharge of \$700 was submitted with the Petition to Accept Unintentional Delayed Payment of Maintenance Fee, however, the current surcharge fee is \$1640. Petitioner should submit the balance of **\$940** with

any request for reconsideration. No consideration can be given until the required fee deficiency is remitted.

While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within **TWO (2) MONTHS** from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Further correspondence with respect to this matter should be addressed as follows:

By Mail:                      Mail Stop PETITION  
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                                    Post Office Box 1450  
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By hand:                     U. S. Patent and Trademark Office  
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                                    401 Dulany Street  
                                    Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571) 272-6735.

/Diane Goodwyn/  
Diane Goodwyn  
Petitions Examiner  
Office of Petitions

cc:     JOEY ROTHMAN  
         5505 24<sup>TH</sup> STREET  
         GREELEY, CO. 80634